

REMARKS

Claims 1-23 are now pending in the application. New Claims 19-23 have been added herein. Claims 3, 5-8 and 14-18 are identified herein as withdrawn pending a final restriction determination by the Examiner, and determination of a generically allowable Claim. The Examiner is respectfully requested to reconsider the requirement to elect a single species for prosecution in view of the remarks contained herein.

ELECTION/RESTRICTIONS

The Examiner has required restriction to one of the following inventions under 35 U.S.C. § 121:

- I. Claims 1-17, drawn to rivet, classified in class 411, subclass 41.
- II. Claim 18, drawn to a method of riveting, classified in class 29.

The Examiner has also identified the application contains claims directed to the following patentably distinct species of the claimed invention:

- Species A, Figure 5;
- Species B, Figures 6 and 7;
- Species C, Figure 8;
- Species D, Figures 9 and 10;
- Species E, Figures 11 and 12;
- Species F, Figures 13 and 14;
- Species G, Figure 15;
- Species H, Figure 16; and
- Species I, Figures 17 and 18.

The Examiner noted that Applicant under 35 U.S.C. §121 is required to elect a single species for prosecution on the merits to which the Claims shall be restricted if no generic Claim is finally held to be allowable. Per the Examiner, currently Claim 1 is generic.

Applicant provisionally elects to prosecute Invention I, species B, Figures 6 and 7, with traverse. Currently, Claims 1-2, 4, 9-13, and new Claims 19-23 read on the elected species.

The Examiner is respectfully requested to reconsider the restriction requirement with respect to the present application because it is believed that it would not produce a serious burden upon the Examiner to maintain at least Species A (Figure 5), Species C (Figure 8) and Species D (Figures 9 and 10) because searches for the cap of Species B should encompass the features of Species A, C and D. (See MPEP §803). Claims 1-2, 4, 9-11, and new Claims 19-22 read on Species A, C and D.

CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this Response is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: August 8, 2005
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